

SEP 28 2012

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

KENNETH JAMES WEST,

Plaintiff,

v.

NEW RIVER VALLEY REGIONAL JAIL,  
Defendant.

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Civil Action No. 7:12-cv-00439

**FINAL ORDER**

By: Samuel G. Wilson  
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that West's 42 U.S.C § 1983 action is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and the Clerk is **DIRECTED** to strike this action from the active docket of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the parties.

**ENTER:** This 26<sup>th</sup> day of September, 2012.

  
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United States District Court